



House of Representatives

General Assembly

File No. 184

February Session, 2006

House Bill No. 5681

House of Representatives, March 28, 2006

The Committee on General Law reported through REP. STONE, C. of the 9th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING PRESCRIBED NARCOTIC SUBSTANCES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-576 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 (a) The commissioner may, with the advice and assistance of the
4 commission, adopt regulations, in accordance with chapter 54, to
5 govern the performance of the commission's duties, the practice of
6 pharmacy and the business of retailing drugs and devices. Such
7 regulations may include, but are not limited to, provisions (1)
8 concerning the licensing of any pharmacist or pharmacy, disciplinary
9 action that may be taken against a licensee, the conduct of a
10 pharmacist and the operation of a pharmacy, (2) specifying various
11 classes of pharmacy licenses issued under section 20-594, including,
12 but not limited to, licenses for infusion therapy pharmacies and
13 nuclear pharmacies and specifying requirements for operation of
14 pharmacies under the classes of pharmacy licenses permitted under
15 the regulations, (3) concerning creation and maintenance of

16 prescription records, and (4) concerning registration and activities of
17 pharmacy interns, registered pharmacy technicians and certified
18 pharmacy technicians.

19 (b) The commissioner shall, with the advice and assistance of the
20 commission, adopt regulations, in accordance with chapter 54,
21 [governing] regarding the following: (1) [the] The storage and retrieval
22 of prescription information for noncontrolled substances, including
23 refills, by pharmacists through the use of electronic data processing
24 systems or other systems for the efficient storage and retrieval of
25 information, (2) the operation of institutional pharmacies pursuant to
26 chapters 368a and 418, and sections 17a-210 to 17a-273, inclusive, as
27 amended, 19a-490 to 19a-520, inclusive, as amended, and 20-570 to 20-
28 630, inclusive, [and] (3) the activities of pharmacy technicians in
29 pharmacies and institutional pharmacies, including ratios of registered
30 pharmacy technicians and certified pharmacy technicians to
31 pharmacists in pharmacies and institutional pharmacies, and (4)
32 requiring pharmacists licensed pursuant to this chapter to require
33 valid identification prior to releasing a narcotic controlled drug, as
34 defined in subdivision (8) of section 21a-240, to such person.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2006	20-576
-----------	-----------------	--------

GL *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the commissioner of the Department of Consumer Protection, and the Pharmacy Commission, to adopt certain regulations. It is anticipated that the provisions of the bill can be implemented within existing resources.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis
HB 5681***AN ACT CONCERNING PRESCRIBED NARCOTIC SUBSTANCES.*****SUMMARY:**

This bill requires the consumer protection commissioner, with the advice and assistance of the pharmacy commission, to adopt regulations requiring pharmacists to require valid identification before dispensing a narcotic controlled drug.

EFFECTIVE DATE: October 1, 2006

BACKGROUND***Controlled Drugs***

The law defines “controlled drugs” as those that (1) contain any amount of substance subject to the federal Controlled Substances Act or (2) have been designated as a stimulant or depressant under federal law or by the consumer protection commissioner. Controlled substances are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type, or other stimulant or depressant types (CGS § 21a-240(8)).

Narcotic Substances

The law defines “narcotic substances” as having two types, morphine and cocaine. The morphine-type includes (1) opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate similar in chemical structure or physiological effect, that show a like potential for abuse, and that are controlled substances, unless modified; (2) a salt, compound, isomer, derivative, or preparation that is chemically equivalent with or identical to the above substances, other than isoquinoline alkaloids of opium; and (3) opium poppy and poppy straw. The cocaine-type includes coca leaves and a salt, compound, derivative, or preparation of coca leaves, and a salt,

compound, isomer, derivative, or preparation that is chemically equivalent or identical to the above substances or that are similar in physiological effect and that show a potential for abuse, but not de-cocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine (CGS § 21a-240(30)).

Controlled Substances

Controlled substances are grouped in Schedules I through V, according to their decreasing tendency to promote abuse or dependency. Schedule I substances are the most strictly controlled because of their high potential for abuse. State and federal laws authorize prescribing drugs on Schedules II through V; most Schedule I drugs do not have any approved medical use.

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 15 Nay 0 (03/14/2006)